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Attorney Docket No.: 14740A-000620US
Client Ref. No.: TSRI519.1Div/SCR2296P

Robert Clinton Hayes

1647

RESPONSE TO RESTRICTION

Assistant Commissioner for Patents Washington, D.C. 20231

12/30/02

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TECH CENTER 1600/2000

TOWNSEND and TOWNSEND and CREW LLP

By: Kristi Cope

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:

Art Unit:

REQUIREMENT

In re application of:

J. Gregor Sutcliffe et al.

Application No.: 09/766,396

Filed: January 18, 2001

For: CORTISTATIN: NEUROPEPTIDES, COMPOSITIONS AND METHODS

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Responsive to the Office action mailed October 1, 2002, for which a two month extension of time to reply is requested in the accompanying transmittal, Applicants hereby submit the following election without traverse.

THE REQUIREMENT:

Claims 3-19 are pending. The Action restricts the invention into eight groups as follows:

- I. Claims 1-2 & 20, drawn to mammalian cortistatin, and pharmaceutical compositions thereof, classified in class 530, subclass 399 now cancelled.
- II. Claims 3-6, drawn to nucleic acids encoding cortistatin, vectors, and host cells, classified in class 435, subclass 325.
- III. Claims 7 & 15-16, drawn to oligonucleotide primers, classified in class 536, subclass 24.33.

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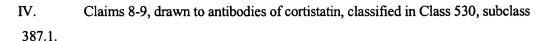
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- V. Claims 10 & 13, drawn to methods of detecting cortistatin in a sample comprising use of antibodies, and kits thereof, classified in Class 435, subclass 7.1.
- VI. Claims 11-12, drawn to methods of detecting cortistatin in a sample comprising detecting nucleic acids, and kits thereof, classified in Class 435, subclass 6.
- VII. Claim 14, drawn to a method of detecting mutations in a cortistatin gene that comprises expansion of a CTG domain through nucleotide sequencing, classified in class 435, subclass 6.
- VIII. Claims 17-19, methods of inducing sleep in a mammal comprising administering cortistatin, classified in Class 514, subclass 2.

Applicants elect to prosecute the invention of Group IV, Claims 8-9, drawn to antibodies of cortistatin, classified in Class 530, subclass 387.1. This election is made without traverse.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

William Schmonsees Reg. No. 31,796.

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 415-576-0300

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Approved for use through 10/31/2002. OMB 0651-0931

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Z ALS			Exami	ner Name	Robert Cl	inton Hayes		
Total Number of Pages	s in This Submission	4	Attorn	ey Docket Number	14740A-0	00620US		
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Response to Missing Parts/ Incomplete Application				I		JAN 0 9 2003		
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002 330	2002 165	Design filing fee		1402	320	2402	160	Filing a brief in support of an appeal	
003 510	2003 255	Plant filing fee		1403	280	2403	140	Request for oral hearing Petition to institute a public use	<u> </u>
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SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	William Schmonsees	Registration No. (Attorney/Agent)	31,796.	Telephone	650-326-2400

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Request for expedited examination of a design application

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over original patent ** Reissue claims in excess of 20

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Multiple dependent claim, if not paid

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